

## **GERMAN FOUNDATION CHRONOLOGY OF KEY EVENTS**

### **March/April 1998 - Lawsuits Filed**

Plaintiffs' attorneys file lawsuits in U.S. courts on behalf of slave and forced labor victims.

### **October 1998 - Chancellor's Political Commitment**

Chancellor Schroeder announces his support for a national foundation that would do justice for those compelled to perform slave and forced labor during World War II, a wrong not covered by any past German compensation program.

### **Fall 1998 - Eizenstat as Facilitator**

Upon request by the government of Germany, then-Under Secretary of State Eizenstat agrees to become involved in German efforts to establish a foundation. Eizenstat is also asked to help facilitate a resolution of the class action lawsuits filed in U.S. courts against German companies arising from slave and forced labor. He cooperates initially with Federal Minister Bodo Hombach and then with the Chancellor's envoy, Otto Count Lambsdorff.

### **February 16, 1999 - Foundation Announcement**

The German Government and 12 German companies release a statement confirming their intention to fund a private foundation that would make payments to former forced and slave laborers and other groups of Nazi victims. The February 16 statement also mentions that the German Bundestag intends to establish a publicly-funded Federal foundation to handle other claims not covered by the proposed German industry foundation (such as forced labor in agriculture and the public sector). This announcement follows consultations in Washington. A German Government working group is created to consult with other interested parties on the foundation.

### **May 12, 1999**

Under Secretary Eizenstat and German Chancellery Minister Bodo Hombach co-chair at the Department the first of twelve multilateral meetings to address forced and slave labor claims, as well as other claims, against German enterprises. The participants include the German companies, the Jewish Claims Conference, the plaintiffs' attorneys, Israel, and five Central and East European Governments. In the subsequent months, there are also numerous informal meetings.

### **June 10, 1999 - Foundation Draft Outline**

German companies present the first outline of the Foundation and agree to consider suggestions from other participants in the negotiating process. The initial outline would have had a private sector and a public sector foundation.

### **September 1999 - A Single National Foundation**

The German government negotiating team, now headed by Otto Count Lambsdorff, proposes the establishment of a single national foundation under public law that would make payments both to those who suffered at the hands of German companies during the Nazi-era and to those who worked as forced or slave laborers for the German Government or SS companies.

## **Fall 1999 - Schroeder-Clinton Exchanges**

Chancellor Schroeder and President Clinton exchange correspondence on the amount of money necessary to capitalize the foundation and on the mechanism for achieving legal closure.

## **December 17, 1999 - 10 Billion DM Capped Amount**

The parties to the negotiations agree that the German Government and the German companies would each contribute five billion Marks to the Foundation, for a total capped amount of 10 billion Marks (approximately \$5 billion). That sum would cover all World War II injuries committed by German companies, including slave and forced labor to insurance, banking, Aryanized property and medical experiments. The German offer was a substantial increase over the initial German proposal of 1.5 billion DM at the beginning of the process, 6 billion DM in October and a subsequent offer of 8 billion DM in November. All the parties to these negotiations accept the 10 billion DM offer as the capped amount for the German Foundation and the sum that will resolve the lawsuits. German President Rau asks forgiveness on behalf of the German people for the wrongs committed.

## **March 23, 2000 - Agreement on Allocation Plan**

Following difficult all-night negotiations, all participants in the slave and forced labor talks reach agreement in Berlin on the allocation plan for the 10 billion D-Marks (five billion dollars) in the German foundation. Of the 10 billion DM, 8.1 billion plus 50 million in anticipated interest earnings will be allocated to pay claims to slave and forced laborers and to others for personal injuries. One billion will go to property claims and insurance claims, as well as property and insurance humanitarian funds. 700 million will go into a Future Fund, the purpose of which will be to promote tolerance and advance social programs, taking into account the heirs of forced laborers. 200 million will be used for administration of the Foundation.

## **June 12, 2000 - Details of Legal Peace Mechanism Finalized**

Treasury Deputy Secretary Eizenstat, Count Lambsdorff and Dr. Gentz finalize the details of the mechanism agreed in December to ensure legal peace for German companies for lawsuits in United States courts in all cases against German companies arising out of the Nazi era. As a result of the negotiations and creation of the Foundation, the plaintiffs' attorneys are willing to, and will voluntarily, dismiss all their pending cases against German companies relating to Nazi era wrongs. They are doing so because they believe the Foundation provides benefits to their clients more quickly than could uncertain litigation. The United States will file Statements of Interest in all pending and future cases stating that dismissals of the lawsuits are in the foreign policy interest of the United States and recommending dismissal on any valid legal ground.

## **July 14, 2000 - Foundation Legislation Passes**

The Bundesrat, the upper house of the German parliament, passes the law establishing the Foundation that was passed July 6, 2000, by the Bundestag (lower house).

## **July 17, 2000 - Berlin Concluding Plenary**

Signing of Concluding Joint Statement and Executive Agreement between the United States and Germany.